IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 5506 of 1996

For Approval and Signature:

HONOURABLE MR.JUSTICE JAYANT PATEL

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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HIRABHAI RANCHHODBHAI PATEL - Petitioner(s)
Versus
STATE OF GUJARAT - Respondent(s)

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Appearance :

MR DHIRENDRA MEHTA for Petitioner(s) : 1,
RULE SERVED BY DS for Respondent(s) : 1,

MR. SATYAM CHHAYA, AGP FOR STATE

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CORAM : HONOURABLE MR.JUSTICE JAYANT PATEL

Date : 08/03/2007

ORAL JUDGMENT

1. The petitioner has preferred the petition for challenging the order dated 1.1.1996 and and

23.4.1996 passed by the State Government, whereby the application of the petitioner under Section 20 of the Urban Land (Ceiling and Regulation) Act (hereinafter referred to as “the Act”) has been rejected.

2. Heard Mr.Mehta, learned Counsel for the petitioner and Mr.Chhaya, learned AGP for the State Government.

3. Upon hearing the learned Counsel appearing for both the sides, it prima facie appears that the basis of the application of the petitioner was the power of the State Government under Section 20 of the Act. It is not in dispute that the application came to be rejected by the State Government and those orders of the State Government are under challenge.

4. Pending the petition, in view of the Urban Land (Ceiling and Regulation) Repeal Act, 1999 (hereinafter referred to as “the Repeal Act”), the Act is repealed and, therefore, the provisions of Section 20 of the Act, now cannot be enforced by the petitioner for exemption.

5. Under the above circumstances, in view of the

Repeal Act, the present petition has become infurctuous. Hence, disposed of accordingly. Rule discharged.

8.3.2007 **(Jayant Patel, J.)**

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